

U.S. Application No. 10/758,136
Atty. Dkt. No. 2557SI-001230/US/CPA

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Rejections under 35 U.S.C. § 102

Choi

Claims 1, 2 and 5-12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,930,330 to Choi et al. (hereinafter "Choi"). Applicants respectfully traverse this rejection for the reasons detailed below.

Applicants have amended the specification to claim priority under 35 U.S.C. § 120 as a continuation-in-part of U.S. Application No. 10/122,421, filed on April 16, 2002.

A petition under 37 C.F.R. § 1.78(a)(3) has been concurrently filed to accept the unintentionally delayed claim for priority. Upon grant of the petition, Choi will become a parent of the present application and will no longer be available as prior art with regard to commonly-disclosed subject matter. For at least the reasons above, there can be no anticipation with regard to the rejected claims. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the above rejection.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

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Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By

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